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STATE OF VERMONT

DEPT. OF TRANSPORTATION
DOCKET SECTION

AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT

NOV 30 PM 3:05

November 16, 1998

TEA-21 Docket - OST - 98 - 4146 - 211
U.S. Department of Transportation
400 7th Street SW Attn: ENHANCEMENTS
Washington DC 20590

Re: Enhancement Projects and Historic Preservation Criteria

Dear Recipient:

Although there is much discussion nationally concerning FHWA guidance on historic preservation project eligibility, here in Vermont, our Agency of Transportation (VAOT) with the participation of FHWA has created a reasonable process whereby the projects recommended rarely run afoul of this issue because most clearly fit one criteria or meet multiple criteria including historic preservation. Having a thoughtful FHWA representative on our selection committee of course is an essential part of this process.

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- * Historic Preservation
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Nonetheless FHWA guidance on historic preservation enhancements needs further clarification. in several instances where historic preservation has been part of a larger project that includes transportation function, as well as proximity and impact, a narrow interpretation of the criteria has inclined FHWA to not allow funding of the historic preservation component. Clearly this was not the intent of Congress or likely of the directive from FHWA limiting all historic preservation work to "function." If a project makes the transportation connection, related historic preservation work accessible to the public should be fundable.

As presently interpreted by FHWA regional offices, the guidance memo on historic preservation creates a higher standard for historic preservation than for the other criteria and actually would disqualify two of the projects featured in the FHWA publication Building on the Past Travelina to the Future. Why should an easement on a scenic farm whose only transportation connection is proximity be funded and restoration of and an easement on a scenic historic landmark next to the road not be funded? Another example would be an enhancement grant here deemed eligible by FHWA that involved landscaping along a riverbank, to enhance habitat, simply because the river could be seen from the road.

Here in Vermont, our VAOT has offered guidance to applicants that for both scenic and historic projects not directly related by function to be competitive, they should be a part of a Scenic Byway or other program that thereby makes the transportation connection.

FHWA should issue guidance to its regional offices that all projects must make a viable transportation connection, and once that connection is made, all work eligible under the criteria, including historic preservation, is fundable. Examples of fundable historic preservation projects (beyond the obvious railroad stations) should also be provided, and the guidance and projects in Building on the Past Travelina to the Future should be validated.

Thank you for this opportunity to comment.

VERMONT DIVISION FOR HISTORIC PRESERVATION

Emily Wadhams
State Historic Preservation Officer